

Docket No. 2024730-7013343001
269/106CON (99-137 US02)

REMARKS

37.CFR 1.121

Claim 32 is objected to for failure to indicate the amendments requested in a previous response to an Office Action. The Applicant apologizes for the oversight and herein provides a marked up claim 32 for the record in this matter. The present version of claim 32 includes a further amendment to clarify that it is the vaso-occlusive precursor that comprises a polymer-forming, or dissolved polymeric, biodegradable material present in an amount of about 5 to 50% by weight.

REJECTIONS WITHDRAWN

The Applicant notes that the rejection of claims 32-35, 38-41, 44, 46 and 53-59 under 35 USC 102(e) as being anticipated by Okada is withdrawn.

The Applicant also notes that the rejection of claims 32-41, 43, 44, 46 and 53-59 under 35 USC 103(a) as being unpatentable over Okada in view of Cragg et al¹, Whalen et al, Cragg et al², Greff et al and Murayama et al. is withdrawn.

CLAIM OBJECTION

Claim 55 is objected to because the term "once" is misspelled as "one". The Applicant herein amends claim 55 to correct the typographical error.

Docket No. 2024730-7013343001
269/106CON (99-137 US02)

35 USC §112

Claims 32-41, 43, 44, 46, 53-57 and 59 are rejected under 35 USC §112, first paragraph, as failing to comply with the written description requirement. The Applicant respectfully disagrees, especially in view of the amendment presented herein. Claim 32 is amended to clarify the amount of polymer-forming, or dissolved polymeric, biodegradable material present in the vaso-occlusive precursor of the system.

REQUEST FOR ALLOWANCE

Claims 32-41, 43, 44, 46, 53-57 and 59 are pending in this application, and the Applicant respectfully requests that the Examiner reconsider all of the claims in light of the arguments presented and allow all current and pending claims.

Respectfully submitted,

BINGHAM MCCUTCHEN, LLP

Dated: September 19, 2005

By: David T. Burse

David T. Burse
Reg. No. 37,104

BINGHAM MCCUTCHEN LLP
Three Embarcadero, Suite 1800
San Francisco, CA 94111-4067
(650) 849-4400